

# UNITED STATES PATENT AND TRADEMARK OFFICE

## CERTIFICATE OF CORRECTION

PATENT NO. : 7,214,364 B2

Page 1 of 1

APPLICATION NO. : 10/613,639

ISSUE DATE : May 8, 2007

INVENTOR(S) : Alan Bruce Montgomery; Manfred Keller; Frank-Christophe Lintz

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

ON THE FRONT PAGE, AT (75)

After "Inventor: Alan Bruce Montgomery, Medina WA (US)" insert --Manfred Keller, Muenchen (Germany); Frank-Christophe Lintz, Starnberg (Germany)--

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Hana Verny, Esq.  
Peters Verny, LLP  
425 Sherman Avenue, Suite 230  
Palo Alto, CA 94306

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

3818.02-5  
Patent No.: 7,214,364

1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee:  
Alan Bruce Montgomery, et al.

Serial No.: 10/613,639  
Filing Date: July 3, 2003

Group Art Unit: 1616  
Examiner: James Henry  
Alstrum-Acevedo

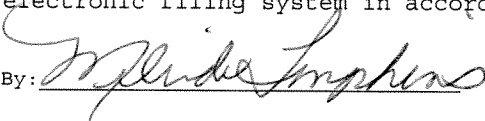
Patent No.: 7,214,364  
Issue date: May 8, 2007

Confirmation No.: 4624

For: INHALABLE AZTREONAM LYSINATE  
FORMULATION FOR TREATMENT AND  
PREVENTION OF PULMONARY  
BACTERIAL INFECTIONS

Customer No.: 23308

Certificate of Corrections Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING or FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8(a)(1), or ELECTRONIC FILING UNDER 37 C.F.R. §1.8(a)(1)(C)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being	
_____ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria Virginia, 22313-1450,	
_____ facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
_____ <input checked="" type="checkbox"/> _____ transmitted via the Office electronic filing system in accordance with §1.6(a)(4)	
Dated: July 30, 2008	By: 
	Name: <u>Melinda Tompkins</u> Printed Name

REQUEST FOR CERTIFICATE OF CORRECTION  
UNDER 37 C.F.R. 1.322

The patentee of the above-identified patent, through its  
attorney, hereby petitions for issuance of Certificate of

3818.02-5  
Patent No.: 7,214,364

2

PATENT

Correction in the above-identified patent. A completed Certificate of Correction Form PTO/SB/44 is enclosed herein.

**ON THE FRONT PAGE OF THE PATENT** begins on page 3 of this paper.

**REMARKS** begin on page 4 of this paper.

This Request is being filed with an EFS-WEB Transmittal Form, Certificate of Correction, and supporting documentation.

No fees are believed to be necessary with the filing of this request. However, if it is determined that some fees may be required, the Commissioner is authorized to charge such fees to Peters Verny, LLP Deposit Account 16-1331.

ON THE FRONT PAGE OF THE PATENT

On the front page of the patent (75) after "Inventor: Alan Bruce Montgomery, Medina, WA (US)" insert "Manfred Keller, Muenchen (Germany), Frank-Christophe Lintz, Starnberg (Germany)"

REMARKS

Errors in the identified inventorship which have occurred through the fault of the Patent Office appear in the above-identified patent. Patentee respectfully requests that such errors are corrected by issuing Certificate of Correction.

Patentee submits that during the prosecution and examination of the above-identified patent application, Patentee became aware that, inadvertently, an error occurred in determination of inventorship in the above-identified application. In order to correct this error in inventorship, Patentee submitted, on October 25, 2004, to the Patent Office following documents: Transmittal letter, Amendment, Request and Fee to Add Names of Inventors, Consent of Assignee to Change Inventorship in the Patent Application; Statement by A. Bruce Montgomery; Statement by Manfred Keller; Statement by Frank-Christophe Lintz; Original signed Declaration and Power of Attorney; Check in the Amount of \$130.00; and Postcard (copies enclosed).

All documents were received by the Patent Office on October 28, 2004 as evidenced by the stamped returned postcard (copy enclosed). Stamped postcard was received by the Attorney of Record's office on November 1, 2004.

The PAIR page, retrieved from the Patent Office website on August 12, 2005, shows that the documents for correction of Inventorship were received by the Patent office on October 28, 2004 (copy enclosed).

The patent 7,214,364 issued on May 8, 2007 with the name of only one original inventor, namely Alan Bruce Montgomery. The names of the two additional inventors, namely Manfred Keller and Frank-Christophe Lintz, are missing.

The Patent Office did not act on the papers submitted by Patentee for correction of inventorship and consequently the

3818.02-5  
Patent No.: 7,214,364

5


PATENT

error in the inventorship occurred that requires correction by Certificate of Correction.

Patentee submits that the error in the patent incurred through the fault of the Office and such mistake is clearly disclosed in the records of the Office. Patentee respectfully requests issuance of Certificate of Correction under 35 C.F.R. 1.322 (a)(1).

Respectfully submitted

Date: July 30, 2008

  
\_\_\_\_\_  
Hana Verny  
(Reg. No. 30,518)

PETERS VERNY, LLP  
425 Sherman Avenue, Suite 230  
Palo Alto, CA 94306  
Tel: (650) 324-1677  
Fax: (650) 324-1678  
Attorney Dkt. No.: 3818.02-5 (HV)

APPLICANT: MONTGOMERY

TITLE: INHALABLE AZTREONAM LYSINATE FORMULATION FOR TREATMENT AND PREVENTION OF  
MONARY BACTERIAL INFECTIONS

SERIAL NO.: 10/613,639

FEES: \$130.00

CERTIFICATE OF MAILING BY FIRST CLASS MAIL  
SIR: JONES & SCHMITT

FILED: JULY 3, 2003

CHECK ENCLOSED  
PETERSON, VERNY,

JONES & SCHMITT

Kindly Stamp receipt date and mail to acknowledge receipt of the  
accompanying: NOV 8 2004

REQUEST TO ADD INVENTORS

1. Transmittal Letter;

2. Amendment, Request and Fee to Add Names of Inventors;

3. Consent of Assignee to Change of Inventorship in the Parent  
Application;

4. Statement by A. Bruce Montgomery;

5. Statement by Manfred Keller;

6. Statement by Frank-Christophe Lintz;

7. Original Signed Declaration and Power of Attorney;

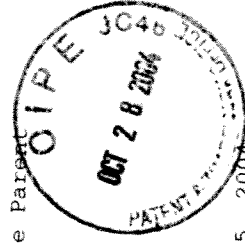
8. Check in the Amount of \$130.00; and  
Postcard.

DUE DATE:

ATTY/SECTY: HV:MT

DATE MAILED: October 25, 2004

ATTY DKT. NO.: 3818.02-5 (HV)



RECEIVED

PETERS, VERNY, JONES AND SCHMITT, LLP  
 425 SHERMAN AVE., STE 230  
 PALO ALTO, CA. 94306  
 (650) 324-1677

3818.02-5 (HV)	130.00
PETITION FEE	

24156

11-4288

1210

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 OF

\*\*\*\*\*ONE HUNDRED THIRTY DOLLARS AND NO CENTS\*\*\*\*\*

DOLLARS

CHECK AMOUNT

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NUMBER
10/25/04	COMMISSIONER FOR PATENTS	PETITION FEE	24156

\$ 130.00

SERIAL NO.: 10/613,639 FILED: July 3, 2003

PETERS, VERNY, JONES AND SCHMITT, LLP

WELLS FARGO BANK

*Manfred Keller*

⑈024156⑈ ⑆121042882⑆0285 109260⑈

APPLICANT: MONTGOMERY

TITLE: INHABITABLE AZTROMAM LYSINATE FORMULATION FOR TREATMENT AND PREVENTION OF  
 PULMONARY BACTERIAL INFECTIONS

SERIAL NO.: 10/613,639

FILED: JULY 3, 2003

FEES: \$130.00

CHECK ENCLOSED: Yes

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

SIR:

Kindly Stamp receipt date and mail to acknowledge receipt of the  
 accompanying:

REQUEST TO ADD INVENTORS

1. Transmittal Letter;
2. Amendment, Request and Fee to Add Names of Inventors;
3. Consent of Assignee to Change of Inventorship in the Parent  
 Application;
4. Statement by A. Bruce Montgomery;
5. Statement by Manfred Keller;
6. Statement by Frank-Christophe Lintz;
7. Original Signed Declaration and Power of Attorney;
8. Check in the Amount of \$130.00; and
9. Postcard.

DUE DATE:

DATE MAILED: October 25, 2004

ATTY/SECTY: HV:MT

ATTY DKT. NO.: 3818.02-5 (HV)



**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
3818.02-5

In Re Application Of: ALAN BRUCE MONTGOMERY, ET AL.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/613,636	JULY 3, 2003	HAGHIGHATIAN, MINA	23308	1616	4624

Title: INHALABLE AZTREONAM LYSINATE FORMULATION FOR TREATMENT  
AND PREVENTION OF PULMONARY BACTERIAL INFECTIONS

COMMISSIONER FOR PATENTS:

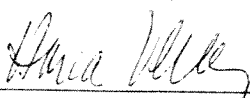
Transmitted herewith is:

1. TRANSMITTAL LETTER;
2. AMENDMENT; REQUEST AND FEE TO ADD NAMES OF INVENTORS; 3. CONSENT OF ASSIGNEE TO CHANGE OF INVENTORSHIP IN THE PARENT APPLICATION;
4. STATEMENT BY A. BRUCE MONTGOMERY;
5. STATEMENT BY MANFRED KELLER;
6. STATEMENT BY FRANK-CHRISTOPHE LINTZ; 7. ORIGINAL SIGNED DECLARATION AND POWER OF ATTORNEY; OF ATTORNEY; 8. CHECK IN THE AMOUNT OF \$130; AND 9. POSTCARD.

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 16-1331 as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

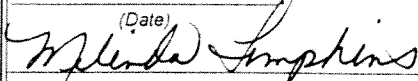
  
Signature

Dated: OCTOBER 25, 2004

HANA VERNY (REG. NO. 30,518)  
PETERS, VERNY, JONES & SCHMITT LLP  
385 SHERMAN AVENUE, SUITE 6  
PALO ALTO, CA 94306  
TELEPHONE: (650)324-1677  
FACSIMILE: (650)324-1678

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

OCTOBER 25, 2004

(Date)  


Signature of Person Mailing Correspondence

MELINDA TOMPKINS

Typed or Printed Name of Person Mailing Correspondence

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
 ) Group Art Unit: 1616  
ALAN BRUCE MONTGOMERY, ET AL. )  
 ) Examiner: HAGHIGHATIAN, MINA  
Serial No.: 10/613,639 )  
Filed: JULY 3, 2003 )  
 )

For: INHALABLE AZTREONAM LYSINATE  
FORMULATION FOR TREATMENT AND  
PREVENTION OF PULMONARY BACTERIAL INFECTIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on October 25, 2004.

  
Melinda Tompkins

AMENDMENT, REQUEST AND FEE TO ADD NAMES OF  
INVENTORS OF INVENTION ORIGINALLY DISCLOSED  
AND NOW BEING CLAIMED (37 C.F.R. 148(C))  
NON-PROVISIONAL APPLICATION

1. This Amendment and Request under 37 C.F.R. § 1.48(c) is to add the names of the following persons as inventors who are the inventors of the invention now being claimed:

Manfred Keller

Frank-Christophe Lintz

2. The claims in this application are as follows:  
Originally filed claims 1-20.

3. Statement From Each Person Being Added As Inventor (37 C.F.R. §1.48(c)(1)):

Attached is a statement from each person being added as an inventor that the inventorship error occurred without deceptive intent on his or her part.

4. Declaration (37 C.F.R. §1.48(c)(2)).

Attached is a declaration by the actual inventors as required by §1.63 (or as permitted by §§ 1.42, 1.43 or 1.47).

5. Assent of Assignee of Any Originally Named Inventors (37 C.F.R. § 1.48(c)(4)).

Attached is the written consent of the assignee of the originally named inventor.

6. Fee (37 C.F.R. §1.17(i)).

The fee required is paid as follows:

Enclosed is a check for \$130.00.

Charge Deposit Account 16-1331 for any fee deficiency.

Respectfully submitted,

Date: October 25, 2004

  
\_\_\_\_\_  
Hana Verny (Reg. No. 30,518)  
Attorney of Record

PETERS, VERNY, JONES & SCHMITT, L.L.P.  
425 Sherman Avenue, Suite 230  
Palo Alto, CA 94306  
TEL 650 324 1677 / FAX 650 324 1678  
Atty. Dkt.: 3818.02-5 (HV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
ALAN BRUCE MONTGOMERY, ET AL. ) Group Art Unit: 1616  
Serial No.: 10/613,639 ) Examiner: N/A  
Filed: JULY 3, 2003 )

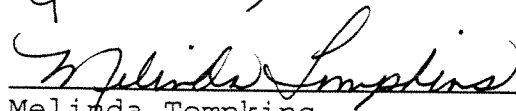
For: INHALABLE AZTREONAM LYSINATE  
FORMULATION FOR TREATMENT AND  
PREVENTION OF PULMONARY BACTERIAL INFECTIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING

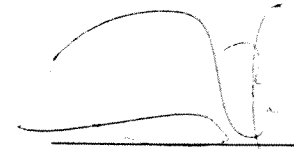
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on October 25, 2004.

  
Melinda Tompkins

CONSENT OF ASSIGNEE TO CHANGE  
OF INVENTORSHIP IN THE PATENT APPLICATION  
UNDER 37 C.F.R. §3.73(b)

Corus Pharma, Inc., owner by assignment of the above patent application, in the Assignment recorded in the Patent Office on November 10, 2003 at Reel 014674 and Frame 0290, hereby consents to the amendment of inventorship of this patent application as requested in the accompanying papers.

Dated: 11/16/2004

  
Signature \_\_\_\_\_  
Title: VP Finance CFE  
Corus Pharma, Inc.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
ALAN BRUCE MONTGOMERY, ET AL. ) Group Art Unit: 1616  
Serial No.: 10/613,639 ) Examiner: N/A  
Filed: JULY 3, 2003 )  
)

For: INHALABLE AZTREONAM LYSINATE  
FORMULATION FOR TREATMENT AND  
PREVENTION OF PULMONARY BACTERIAL INFECTIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on October 25, 2004.

  
Melinda Tompkins

STATEMENT

I, ALAN BRUCE MONTGOMERY, hereby state that the omission of Manfred Keller's and Frank-Christophe Lintz's names as co-inventors and the error in inventorship happened without any deceptive intent on my, or anybody else's part, and that until now I believed myself to be properly named as sole inventor. When the error in inventorship was discovered, my co-inventors, Corus Pharma, Inc., the assignee of the invention and our patent attorney immediately took all necessary steps to correct this error.

Dated:

Sept 14, 2004

  
ALAN BRUCE MONTGOMERY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
ALAN BRUCE MONTGOMERY, ET AL. ) Group Art Unit: 1616  
Serial No.: 10/613,639 ) Examiner: N/A  
Filed: JULY 3, 2003 )

For: INHALABLE AZTREONAM LYSINATE  
FORMULATION FOR TREATMENT AND  
PREVENTION OF PULMONARY BACTERIAL INFECTIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on October 25, 2004.

  
Melinda Tompkins

STATEMENT

I, MANFRED KELLER, hereby state that the omission of my and Frank-Christophe Lintz's names as co-inventors and the error in inventorship happened without any deceptive intent on my, or anybody else's part, and that until now I did not know that this error in inventorship occurred. When the error in inventorship was discovered, my co-inventors, Corus Pharma, Inc., the assignee of the invention and our patent attorney immediately took all necessary steps to correct this error.

Dated: Sept. 17, 2004

  
MANFRED KELLER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
ALAN BRUCE MONTGOMERY, ET AL. ) Group Art Unit: 1616  
Serial No.: 10/613,639 ) Examiner: N/A  
Filed: JULY 3, 2003 )


For: INHALABLE AZTREONAM LYSINATE  
FORMULATION FOR TREATMENT AND  
PREVENTION OF PULMONARY BACTERIAL INFECTIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING

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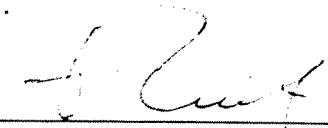
  
Melinda Tompkins

STATEMENT

I, FRANK-CHRISTOPHE LINTZ, hereby state that the omission of my and Manfred Keller's names as co-inventors and the error in inventorship happened without any deceptive intent on my, or anybody else's part, and that until now I did not know that this error in inventorship occurred. When the error in inventorship was discovered, my co-inventors, Corus Pharma, Inc., the assignee of the invention and our patent attorney immediately took all necessary steps to correct this error.

Dated:

Sep 16<sup>th</sup> 2004

  
FRANK-CHRISTOPHE LINTZ

Docket No.

3818.02-5

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**INHALABLE AZTREONAM LYSINATE FORMULATION FOR TREATMENT AND PREVENTION OF PULMONARY BACTERIAL INFECTIONS**

the specification of which

(check one)

☒ is attached hereto.

☒ was filed on JULY 3, 2003 as United States Application No. or PCT International Application Number 10/613,639

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐



I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/258,423

(Application Serial No.)

DECEMBER 27, 2000

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

10/027,113

(Application Serial No.)

DECEMBER 20, 2001

(Filing Date)

PENDING

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

HANA VERNY (REG. NO. 30,518)

HOWARD M. PETERS (REG. NO. 29,202)

ALLSTON L. JONES (REG. NO. 27,906)

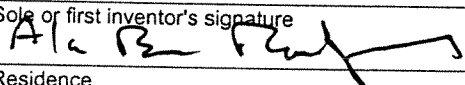
SUSAN M. SCHMITT (REG. NO. 34,427)

DAVID J. ASTON (REG. NO. 28,051)

PETERS, VERNY, JONES & SCHMITT LLP

Send Correspondence to: HANA VERNY  
PETERS, VERNY, JONES & SCHMITT LLP  
425 SHERMAN AVENUE, SUITE 230  
PALO ALTO, CA 94306

Direct Telephone Calls to: *(name and telephone number)*  
HANA VERNY (650)324-1677

Full name of sole or first inventor	ALAN BRUCE MONTGOMERY	
Sole or first inventor's signature		Date Sept 14 2004
Residence	3455 EVERGREEN PT. ROAD, MEDINA, WASHINGTON 98030	
Citizenship	UNITED STATES	
Post Office Address	SAME AS ABOVE	

Full name of second inventor, if any	MANFRED KELLER	
Second inventor's signature		Date
Residence	NEUNKIRCHNER STRASSE 60, 81379 MUNCHEN, GERMANY	
Citizenship	GERMANY	
Post Office Address	SAME AS ABOVE	

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

HANA VERNY (REG. NO. 30,518)

HOWARD M. PETERS (REG. NO. 29,202)

ALLSTON L. JONES (REG. NO. 27,906)

SUSAN M. SCHMITT (REG. NO. 34,427)

DAVID J. ASTON (REG. NO. 28,051)

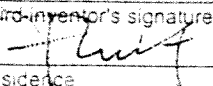
PETERS, VERNY, JONES & SCHMITT LLP

Send Correspondence to: HANA VERNY  
PETERS, VERNY, JONES & SCHMITT LLP  
425 SHERMAN AVENUE, SUITE 230  
PALO ALTO, CA 94306

Direct Telephone Calls to: *(name and telephone number)*  
HANA VERNY (650)324-1677

Full name of sole or first inventor ALAN BRUCE MONTGOMERY	
Sole or first inventor's signature	Date
Residence 3455 EVERGREEN PT. ROAD, MEDINA, WASHINGTON 98030	
Citizenship UNITED STATES	
Post Office Address SAME AS ABOVE	

Full name of second inventor, if any MANFRED KELLER	
Second inventor's signature <i>Manfred Keller</i>	Date <i>Sept. 14, 2007</i>
Residence NEUNKIRCHNER STRASSE 60, 81379 MUNCHEN, GERMANY	
Citizenship GERMANY	
Post Office Address SAME AS ABOVE	

Full name of third inventor, if any FRANK-CHRISTOPHE LINTZ	
Third inventor's signature 	Date Sep. 10 <sup>th</sup> 2004
Residence WALDSPIELPLATZ 5, 82319 STARNBERG, GERMANY	
Citizenship GERMANY	
Post Office Address SAME AS ABOVE	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

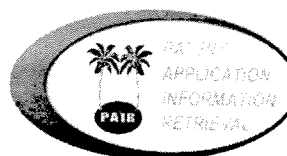
Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	



United States Patent and Trademark Office

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# PATENT APPLICATION INFORMATION RETRIEVAL



Search results as of: 8-12-2005::16:34:20 E.T.

Search results for application number: 10/613,639			
Application Number:	10/613,639	Customer Number:	-
Filing or 371(c) Date:	07-03-2003 ✓	Status:	Docketed New Case - Ready for Examination
Application Type:	Utility	Status Date:	10-01-2004
Examiner Name:	ALSTRUM ACEVEDO, JAMES HENRY	Location:	ELECTRONIC
Group Art Unit:	1616	Location Date:	-
Confirmation Number:	4624	Earliest Publication No:	US 2004-0062721 A1
Attorney Docket Number:	3818.02-5	Earliest Publication Date:	04-01-2004
Class/ Sub-Class:	424/045	Patent Number:	-
First Named Inventor:	Alan Montgomery, Medina, WA (US)	Issue Date of Patent:	-
Title Of Invention:	Inhalable aztreonam lysinate formulation for treatment and prevention of pulmonary bacterial infections		

## Search Options

Continuity Data
Image File Wrapper
Published Documents

File History	
Date	Contents Description
10-28-2004	Rule 47 / 48 Correction of Inventorship Papers Filed
07-28-2005	Case Docketed to Examiner in GAU
03-22-2005	Reference capture on IDS
03-22-2005	Information Disclosure Statement (IDS) Filed
10-05-2004	IFW TSS Processing by Tech Center Complete
04-26-2004	Reference capture on IDS
04-26-2004	Information Disclosure Statement (IDS) Filed
07-03-2003	Oath or Declaration Filed (Including Supplemental)
07-03-2003	New or Additional Drawing Filed
10-01-2004	Case Docketed to Examiner in GAU
03-17-2004	Application Return from OIPE
12-23-2003	Application Return TO OIPE

12-23-2003	Application Dispatched from OIPE
12-23-2003	Application Is Now Complete
11-10-2003	Additional Application Filing Fees
11-10-2003	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic
12-23-2003	Notice Mailed--Application Incomplete--Filing Date Assigned
09-16-2003	Cleared by OIPE CSR
09-04-2003	IFW Scan & PACR Auto Security Review
07-03-2003	Initial Exam Team nn



3818.02-5

1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
ALAN BRUCE MONTGOMERY, ET AL. ) Group Art Unit: 1616  
Serial No.: 10/613,639 ) Examiner: N/A  
Filed: JULY 3, 2003 )

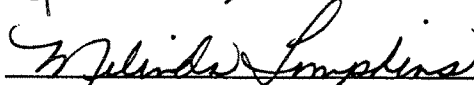
For: INHALABLE AZTREONAM LYSINATE  
FORMULATION FOR TREATMENT AND  
PREVENTION OF PULMONARY BACTERIAL INFECTIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on October 25, 2004.


  
Melinda Tompkins

CONSENT OF ASSIGNEE TO CHANGE  
OF INVENTORSHIP IN THE PATENT APPLICATION  
UNDER 37 C.F.R. §3.73(b)

Corus Pharma, Inc., owner by assignment of the above patent application, in the Assignment recorded in the Patent Office on November 10, 2003 at Reel 014674 and Frame 0290, hereby consents to the amendment of inventorship of this patent application as requested in the accompanying papers.

Dated:

14 Sept. 2004

  
Signature \_\_\_\_\_  
Title: VP Finance Double Section  
Corus Pharma, Inc. CFU



3818.02-5

1

PATENT

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Serial No.: 10/613,639 ) Examiner: HAGHIGHATIAN, MINA  
Filed: JULY 3, 2003 )

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AMENDMENT, REQUEST AND FEE TO ADD NAMES OF  
INVENTORS OF INVENTION ORIGINALLY DISCLOSED  
AND NOW BEING CLAIMED (37 C.F.R. 148(C))  
NON-PROVISIONAL APPLICATION

1. This Amendment and Request under 37 C.F.R. § 1.48(c) is to add the names of the following persons as inventors who are the inventors of the invention now being claimed:

Manfred Keller

Frank-Christophe Lintz

2. The claims in this application are as follows:

Originally filed claims 1-20.

10/29/2004 HVUONG1 00000006 10613636

01 FC:1460

130.00 OP





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Bib Data Sheet

CONFIRMATION NO. 4624

<b>SERIAL NUMBER</b> 10/613,639 ✓	<b>FILING OR 371(c) DATE</b> 07/03/2003 <b>RULE</b> ✓	<b>CLASS</b> 424 ✓	<b>GROUP ART UNIT</b> 1616 ✓	<b>ATTORNEY DOCKET NO.</b> 3818.02-5	
<b>APPLICANTS</b> Alan Bruce Montgomery, Medina, WA; ✓ <i>SHAA</i>					
<b>** CONTINUING DATA *****</b> This application is a CIP of 10/027,113-12/20/2001 PAT 6,660,249 which claims benefit of 60/258,423 12/27/2000 ✓ <i>SHAA</i>					
<b>** FOREIGN APPLICATIONS *****</b> NONE <i>SHAA</i>					
<b>IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** SMALL ENTITY **</b> ** 10/01/2003					
Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after met Verified and Acknowledged <i>SHAA</i> Examiner's Signature Initials		<b>STATE OR COUNTRY</b> WA	<b>SHEETS DRAWING</b> 3	<b>TOTAL CLAIMS</b> 28 16	<b>INDEPENDENT CLAIMS</b> 2 1
<b>ADDRESS</b> Hana Verny Peters, Verny, Jones & Schmitt, L.L.P. 425 Sherman Avenue Suite 230 Palo Alto, CA94306					
<b>TITLE</b> Inhalable aztreonam lysinate formulation for treatment and prevention of pulmonary bacterial infections ✓					
<b>FILING FEE RECEIVED</b> 440	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		



3818.02-5

1

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ALAN BRUCE MONTGOMERY, ET AL. ) Group Art Unit: 1616  
Serial No.: 10/613,639 ) Examiner: N/A  
Filed: JULY 3, 2003 )

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FORMULATION FOR TREATMENT AND  
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Melinda Tompkins

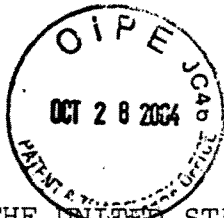
STATEMENT

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Dated:

Sep 14, 2004

  
ALAN BRUCE MONTGOMERY



3818.02-5

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STATEMENT

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Dated: Sept. 17, 2004

  
MANFRED KELLER



3818.02-5

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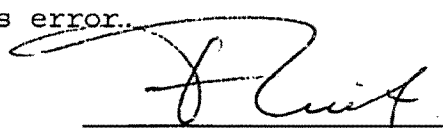
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Melinda Tompkins

STATEMENT

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Dated: Sep. 10<sup>th</sup> 2004

  
FRANK-CHRISTOPHE LINTZ

3. Statement From Each Person Being Added As Inventor (37 C.F.R. §1.48(c)(1)):

Attached is a statement from each person being added as an inventor that the inventorship error occurred without deceptive intent on his or her part.

4. Declaration (37 C.F.R. §1.48(c)(2)).

Attached is a declaration by the actual inventors as required by §1.63 (or as permitted by §§ 1.42, 1.43 or 1.47).

5. Assent of Assignee of Any Originally Named Inventors (37 C.F.R. § 1.48(c)(4)).

Attached is the written consent of the assignee of the originally named inventor.

6. Fee (37 C.F.R. §1.17(i)).

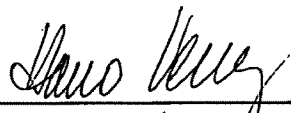
The fee required is paid as follows:

Enclosed is a check for \$130.00.

Charge Deposit Account 16-1331 for any fee deficiency.

Respectfully submitted,

Date: October 25, 2004

  
\_\_\_\_\_  
Hana VERNY (Reg. No. 30,518)  
Attorney of Record

PETERS, VERNY, JONES & SCHMITT, L.L.P.  
425 Sherman Avenue, Suite 230  
Palo Alto, CA 94306  
TEL 650 324 1677 / FAX 650 324 1678  
Atty. Dkt.: 3818.02-5 (HV)



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Bib Data Sheet

CONFIRMATION NO. 4624

SERIAL NUMBER 10/613,639 ✓	FILING DATE 07/03/2003 RULE ✓	CLASS 424	GROUP ART UNIT 1616 ✓	ATTORNEY DOCKET NO. 3818.02-5 ✓
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APPLICANTS

Alan Bruce Montgomery, Medina, WA; ✓

\*\* CONTINUING DATA \*\*\*\*\*

This application is a CIP of 10/027,113 12/20/2001 PAT 6,660,249 ✓  
 which claims benefit of 60/258,423 12/27/2000 ✓

\*\* FOREIGN APPLICATIONS \*\*\*\*\*

NONE JHAA

IF REQUIRED, FOREIGN FILING LICENSE GRANTED \*\* SMALL ENTITY \*\*

\*\* 10/01/2003

Foreign Priority claimed 35 USC 119 (a-d) conditions met Verified and Acknowledged	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance Examiner's Signature: <i>[Signature]</i> Initials: <i>[Initials]</i>	STATE OR COUNTRY WA	SHEETS DRAWING 3	TOTAL CLAIMS 2017	INDEPENDENT CLAIMS 21
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ADDRESS

Hana Verna ✓  
 PETERS, VERNY, JONES & SCHMITT LLP ✓  
 Suite 6 ✓  
 385 Sherman Avenue ✓  
 Palo Alto, CA ✓  
 94306 ✓

TITLE

Inhalable aztreonam lysinate formulation for treatment and prevention of pulmonary bacterial infections

FILING FEE RECEIVED 440	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue )
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3818.02-5

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Serial No.: 10/613,639 ) Examiner: HAGHIGHATIAN, MINA  
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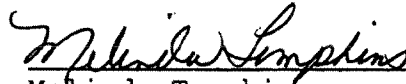
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Melinda Tompkins

AMENDMENT, REQUEST AND FEE TO ADD NAMES OF  
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1. This Amendment and Request under 37 C.F.R. § 1.48(c) is to add the names of the following persons as inventors who are the inventors of the invention now being claimed:

Manfred Keller

Frank-Christophe Lintz

2. The claims in this application are as follows:

Originally filed claims 1-20.

10/29/2004 HUUONG1 00000006 10613636

01 FC:1460

130.00 OP

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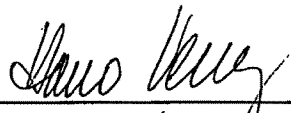
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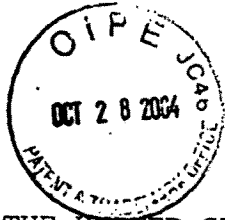
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\_\_\_\_\_  
Hana VERNY (Reg. No. 30,518)  
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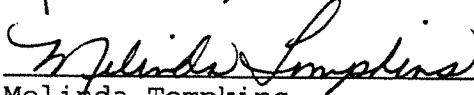
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CONSENT OF ASSIGNEE TO CHANGE  
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Corus Pharma, Inc., owner by assignment of the above patent application, in the Assignment recorded in the Patent Office on November 10, 2003 at Reel 014674 and Frame 0290, hereby consents to the amendment of inventorship of this patent application as requested in the accompanying papers.

Dated:

14 Sept. 2004

  
Signature  
Title: VP Finance, CFO  
Corus Pharma, Inc.

3818.02-5

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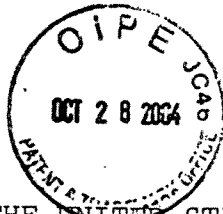
  
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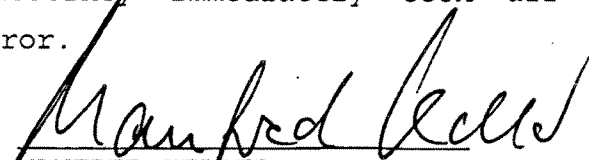
  
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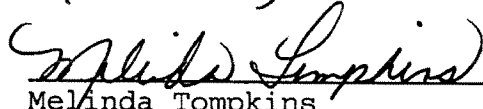
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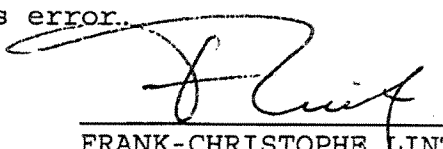
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